

MINUTES

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

January 13, 2009

Conference Room L139, 14955 Galaxie Avenue, Apple Valley, Minnesota

1. CALL TO ORDER AND ROLL CALL

Commissioner Paul J. Krause, Chair of the Physical Development Committee of the Whole, called the meeting to order at 10:20 a.m. Commissioners in attendance:

Commissioner Joseph A. Harris, District 1
Commissioner Kathleen Gaylord, District 2
Commissioner Thomas Egan, District 3
Commissioner Nancy Schouweiler, District 4
Commissioner Liz Workman, District 5
Commissioner Paul J. Krause, District 6
Commissioner Willis E. Branning, District 7

Also in attendance were:

Lynn Thompson, Division Director
Jay Stassen, Assistant County Attorney
Jeanne Nash Hoffmann, Administrator Coordinator

2. INTRODUCTION OF NEW STAFF

There were no new staff to introduce this month.

3. AUDIENCE

Chair Krause asked if anyone in the audience wished to address the committee on an item not on the agenda or if anyone wished to discuss an item on the Consent Agenda. No one came forward.

4. APPROVAL OF THE AGENDA

Motion by Commissioner Branning, Second by Commissioner Gaylord, and passed on a 7-0 vote to approve the agenda for January 13, 2009, as presented.

5. CONSENT/INFORMATION AGENDA

Motion by Commissioner Egan, Second by Commissioner Schouweiler, and passed on a 7-0 vote to approve the following consent items:

5.1 – Minutes Of The December 2, 2008 Meeting

5.2 – Plat Commission Update – Information only; no action was requested.

6. REGULAR AGENDA**6.1 – Authorization To Execute Joint Powers Agreement With Washington County For Demolition Of Bridge 5600**

Transportation Engineer Todd Howard and Transportation Director Mark Krebsbach briefed the Committee on this item. They provided the history of the bridge, and the agency, regulatory, and partnership roles. They summarized the removal and reuse concept study that had been completed. Using pictures from the study, they showed

deteriorating girders, floor beams and lateral bracing. The bridge condition summary from that report indicated that the superstructure was in imminent failure, the substructure was poor, the built-up deck floor beams had failed, the replaced deck floor beams were fair, the bearings had failed, and the piers were in serious condition. They explained the two-span concept for possible reuse and the costs associated with total removal, two-span reuse, and four-span reuse.

Discussion was held on the ownership of this forfeited property and associated liability. The Assistant County Attorney responded to these questions. After discussions, modifications were made to the resolution. The resolution below is the version that includes Assistant County Attorney revisions (underlined text) recommended by the Physical Development Committee of the Whole meeting on January 13, 2009. This resolution was presented to the January 20, 2009 County Board for adoption.

Motion by Commissioner Egan, Second by Commissioner Workman, and passed on a 6-1 vote (with Commissioner Branning casting the opposing vote) to recommend that the County Board adopt the following resolution.

WHEREAS, in June of 1999, Bridge 5600 was closed to traffic due to poor structural condition; and

WHEREAS, part of Bridge 5600 is located on tax forfeited property in Inver Grove Heights, part of the bridge is located on tax forfeited property in St. Paul Park, with both parcels now owned by the State of Minnesota and administered by Washington County and Dakota County as tax forfeited land, as provided by law; and

WHEREAS, the center part of Bridge 5600, including the swing structure and supporting pier, is located on land underlying a navigable body of water that is used for commerce and, therefore, by statute is owned by the State of Minnesota; and

WHEREAS, the center part of the Bridge 5600 is located on land that is not part of the land in Washington and Dakota Counties that is tax forfeited and, therefore, the counties have no real or person property administration rights or responsibilities over that part of the bridge structure; and

WHEREAS, as owner of the real property on which Bridge 5600 is located, the State of Minnesota is fiscally responsible for the cost of complying with federal agency orders to remove the bridge structure from the Mississippi River channel and is also responsible for any liability arising from damages or injuries to persons or entities for failing to timely remove bridge structures and support piers; and

WHEREAS, the United States Coast Guard ordered the bridge be returned to an active transportation function or that the portion of the bridge within the navigational channel be removed; and

WHEREAS, a study began in 2006 that evaluated the condition of the bridge and re-use options; and

WHEREAS, the study identified a removal cost of \$5 million and re-use options between \$9 and \$12 million with annual operating costs of \$150,000; and

WHEREAS, agency and public involvement efforts conducted with the study did not identify a partner willing to assume ownership or to fund any portion of a re-use alternative; and

WHEREAS, in November 2008, a portion of the bridge on the Washington County side collapsed; and

WHEREAS, the State of Minnesota Bridge Engineer recommends complete removal of the bridge due to the instability of the structure and the hazards it poses to public safety; and

WHEREAS, the Dakota County and Washington County Engineers determined that the Counties should coordinate their efforts with the State of Minnesota to plan for removal of the entire bridge structure, if necessary, and concurred with the State Bridge Engineer on the need to remove the bridge and requested and received funds from the State Aid Disaster Account for total removal of Bridge 5600; and

WHEREAS, the Washington County Board of Commissioners declared the removal of the bridge an emergency and authorized emergency contracting procedures; and

WHEREAS, the contract for demolition of the bridge will utilize a phased approach with the removal of the Washington County approach, Dakota County spans 1 and 2 and the swing span being accomplished by March 15, 2009 and the removal of the remaining spans in Dakota County being accomplished by June 15, 2009; and

WHEREAS, Washington County will act as the lead agency responsible for preparing the plans, advertising, and contract administration; and

WHEREAS, the State Aid Disaster Account has been identified as the source of funding for removal of Bridge 5600; and

WHEREAS, a joint powers agreement is necessary to identify county roles and responsibilities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with Washington County for the removal of Bridge 5600, as recommended by the County Engineer, and subject to approval by the County Attorney's Office as to form, to accomplish demolition of the bridge consistent with this resolution; and

BE IT FURTHER RESOLVED, That the Counties obtain any permits or authorizations from the State of Minnesota that are required to remove the Bridge 5600 structures and supporting piers from the channel of the Mississippi River; and

BE IT FURTHER RESOLVED, That Dakota County shall utilize a dual-track approach to Bridge 5600 that allows other entities to develop and present proposals for funding the possible reuse of the Dakota County portion of the bridge until the demolition of the Dakota County spans must begin to meet the June 15, 2009 removal deadline; and

BE IT FURTHER RESOLVED, That the Transportation Capital Improvement Program budget is hereby amended as follows:

Expense	
CP 24-05	(\$5,500,000)
Total Expense	(5,500,000)

Revenue	
State	(3,000,000)
County State Aid	(1,000,000)
Washington County	(1,500,000)
Total Revenue	(5,500,000)

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WHEREAS, the center part of Bridge 5600, including the swing structure and supporting pier, is located on land underlying a navigable body of water that is used for commerce and, therefore, by statute is owned by the State of Minnesota; and

WHEREAS, the center part of the Bridge 5600 is located on land that is not part of the land in Washington and Dakota Counties that is tax forfeited and, therefore, the counties have no real or person property administration rights or responsibilities over that part of the bridge structure; and

WHEREAS, as owner of the real property on which Bridge 5600 is located, the State of Minnesota is fiscally responsible for the cost of complying with federal agency orders to remove the bridge structure from the Mississippi River channel and is also responsible for any liability arising from damages or injuries to persons or entities for failing to timely remove bridge structures and support piers; and

WHEREAS, the United States Coast Guard ordered the bridge be returned to an active transportation function or that the portion of the bridge within the navigational channel be removed; and

WHEREAS, a study began in 2006 that evaluated the condition of the bridge and re-use options; and

WHEREAS, the study identified a removal cost of \$5 million and re-use options between \$9 and \$12 million with annual operating costs of \$150,000; and

WHEREAS, agency and public involvement efforts conducted with the study did not identify a partner willing to assume ownership or to fund any portion of a re-use alternative; and

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WHEREAS, the State of Minnesota Bridge Engineer recommends complete removal of the bridge due to the instability of the structure and the hazards it poses to public safety; and

WHEREAS, the Dakota County and Washington County Engineers determined that the Counties should coordinate their efforts with the State of Minnesota to plan for removal of the entire bridge structure, if necessary, and concurred with the State Bridge Engineer on the need to remove the bridge and requested and received funds from the State Aid Disaster Account for total removal of Bridge 5600; and

WHEREAS, the Washington County Board of Commissioners declared the removal of the bridge an emergency and authorized emergency contracting procedures; and

WHEREAS, the contract for demolition of the bridge will utilize a phased approach with the removal of the Washington County approach, Dakota County spans 1 and 2 and the swing span being accomplished by March 15, 2009 and the removal of the remaining spans in Dakota County being accomplished by June 15, 2009; and

WHEREAS, Washington County will act as the lead agency responsible for preparing the plans, advertising, and contract administration; and

WHEREAS, the State Aid Disaster Account has been identified as the source of funding for removal of Bridge 5600; and

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6.2 – Adoption Of County Project 97-66 Northwest Northfield Highway Corridor Study

Transportation Planner Scott Peters briefed the Committee on the identification of the area by the City of Northfield as a major growth area, the projected population growth by 2030, the disjointed alignment of CSAH 23, and the opportunities to preserve land will be lost forever if development occurs in this area. He outlined the alternatives and explained alternative three which was the recommended alternative.

Motion by Commissioner Gaylord, Second by Commissioner Egan and passed on a 7-0 vote to recommend that the County Board adopt the following resolution.

WHEREAS, to promote safe and efficient transportation throughout the County and region, Dakota County partnered with Rice County and the City of Northfield to conduct a study to examine transportation needs in northwest Northfield and surrounding areas; and

WHEREAS, the City of Northfield is developing an annexation and development master plan for 530 acres northwest of the City, which is expected to result in increased traffic on County State Aid Highway (CSAH) 23 and existing local roads; and

WHEREAS, the current alignment of CSAH 23 is segmented and does not provide for continuous regional trips thereby resulting in regional trips on local roadways; and

WHEREAS, as the area develops, the transportation system will have limited ability to provide for adequate levels of mobility of both local and regional trips; and

WHEREAS, representatives of Dakota County, Rice County, City of Northfield, City of Dundas, Greenvale Township, Waterford Township, Eureka Township, Bridgewater Township, Minnesota Department of Transportation, and St. Olaf College have participated in a study of potential solutions addressing future transportation needs; and

WHEREAS, the study process involved the public through public open houses and individual property owner meetings; and

WHEREAS, the study was developed within a larger planning context, which includes land use development, development of a local roadway network, and improvements to Trunk Highway (TH) 19; and

WHEREAS, the study recommends preserving future right of way alignments for north-south continuity of CSAH 23, south of County Road 96 at the time of development; and

WHEREAS, the study recommends identification of a new alignment study area to be identified in the Transportation Plan in the area of CSAH 23 and CSAH 86; and

WHEREAS, the Dakota County Engineer recommends adoption of the Northwest Northfield Highway Corridor Study.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the Northwest Northfield Highway Corridor Study, as presented to the Physical Development Committee of the Whole on January 13, 2009.

6.3 – Presentation On Long-Term Effectiveness Of Dynamic Speed Monitoring Displays For Speed

Kristi Sebastian briefed the Committee on the findings of the Long Term Effectiveness of Dynamic Speed Monitor Displays for Speed Control study that was conducted and the effectiveness of this new tool for speed control. She indicated that, because of the cost, these monitors would be used only where required to reduce speed.

This was an informational item, no action was required.

DIRECTOR'S REPORT

Lynn Thompson informed the Committee that the February 10, 2009, Air, Water and Waste Environmental Conference had been cancelled. She will keep the Committee advised on how the County will receive their awards.

Lynn provided the Committee with a map of the Lower Minnesota River Watershed District. There is a vacancy on the District Board; no applications have been received for this position. Lynn requested that if Commissioners knew of anyone in this area that would be interested in an appointment to the Board of the Lower Minnesota River Watershed District to contact either her or Brandt Richardson.

Lynn provided an update on the CAPX2020 project. The Certificate of Need has not been approved. The PUC could make their determination this spring. She briefed on the Brookings, SD to Hampton, MN route along with the LaCrosse, WI to Hampton, MN route. She will keep the Committee members informed on this progress.

ADJOURNMENT

Motion by Commissioner Gaylord, Second by Commissioner Workman, and passed on a 7-0 vote to adjourn the meeting at 12:45 p.m.

Respectfully submitted:

Jeanne Nash Hoffmann
Administrative Coordinator